

State of Colorado

John W. Hickenlooper
Governor

Neil Peck
Board Chair

Dana Shea-Reid
Board Director



State Personnel Board
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Meeting Minutes August 18, 2015

The State Personnel Board met in public session on Tuesday, August 18, 2015, at the Colorado State Personnel Board, 1525 Sherman Street, First Floor Conference Room 103, Denver, Colorado 80203.

The meeting was called to order at 9:00 a.m. Board Members Vonda Hall, Nora Kelly and Michelle Palmquist were present in person. Teresa Salerno participated by conference call. Neil Peck was absent and excused.

Dana Shea-Reid, Board Director; Eric Maxfield, Senior Assistant Attorney General; and Cindy Klyn, Legal Assistant, were present in person.

Director Shea-Reid introduced and welcomed newly elected Board member, Nora Kelly.

ELECTION OF BOARD OFFICERS

Director Shea-Reid announced the slate of candidates as Neil Peck for Board Chair and Vonda Hall for Vice Chair. Ms. Palmquist moved to adopt the slate as the Board's officers for FY15-16. Ms. Kelly seconded the motion. The motion passed on the affirmative vote of Ms. Hall, Ms. Kelly, Ms. Palmquist and Ms. Salerno.

I. REPORT OF DEPARTMENT OF PERSONNEL AND ADMINISTRATION [DPA] AND REPORT OF THE DIVISION OF HUMAN RESOURCES [DHR], DPA

Kim Burgess, State Chief Human Resources Officer reported on behalf of DPA and DHR.

- Pay adjustments for eligible employees were made in July and the process went well.
- The Total Compensation Report is scheduled to be issued today. Ms. Burgess noted that in the market survey of compensation practices, the State was very much in line with the prevailing public and private sector market for total compensation.
- The annual Workforce Report will be issued in the next few weeks.

- DHR is now reviewing proposals from six vendors who to the RFP for the HRIS project. Ms. Burgess said all of the HR community will be engaged in this project for an extended period of time.
- Ms. Burgess will have a report for the Board in October regarding employee disputes with agencies and the efforts to resolve those disputes outside the formal process.

II. PENDING MATTERS AT THE COURT OF APPEALS

III. REVIEW OF INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES ON APPEAL TO THE STATE PERSONNEL BOARD

No Initial Decisions or other Final Orders of the Administrative Law Judges on Appeal to the Board this month.

IV. REVIEW OF PRELIMINARY RECOMMENDATIONS OF THE ADMINISTRATIVE LAW JUDGES TO GRANT OR DENY PETITIONS FOR HEARING

- A. Scott Reneau v. Department of Corrections, LaVista Correctional Facility, State Personnel Board case number 2015G099.

Ms. Salerno moved to adopt the Preliminary Recommendation of the Administrative Law Judge and grant the petition for hearing. Ms. Palmquist seconded the motion. The motion passed on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Ms. Palmquist and Ms. Salerno.

- B. Chad Bauer v. Community Colleges of Colorado, Pikes Peak Community College, State Personnel Board case number 2015G096.

Ms. Palmquist moved to adopt the Preliminary Recommendation of the Administrative Law Judge and deny the petition for hearing. Ms. Kelly seconded the motion. The motion passed on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Ms. Palmquist and Ms. Salerno.

- C. Cletus Thiessen v. Department of Transportation, State Personnel Board case number 2015G082.

Ms. Hall moved to adopt the Preliminary Recommendation of the Administrative Law Judge and deny the petition for hearing. Ms. Salerno seconded the motion. The motion passed on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Ms. Palmquist and Ms. Salerno.

- D. Jacqueline Jackson v. Department of Law, State Personnel Board case number 2015S028.

Ms. Salerno moved to adopt the Preliminary Recommendation of the Administrative Law Judge and grant the petition for hearing. Ms. Palmquist seconded the motion. The motion passed on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Ms. Palmquist and Ms. Salerno.

V. INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES

Theresa N. Chavez v. Department of Education, Office of Professional Services and Educator Licensure, State Personnel Board case number 2015B011(c) (July 23, 2015).

The Board took no action in this matter.

VI. REVIEW OF THE MINUTES FROM THE JUNE 16, 2015 PUBLIC MEETING OF THE STATE PERSONNEL BOARD

Ms. Palmquist moved to approve the minutes from the June 16, 2015 meeting which was tabled at the July meeting for lack of a quorum. Ms. Hall seconded the motion. The motion passed on the affirmative vote of Ms. Hall, Ms. Palmquist and Ms. Salerno. Ms. Kelly abstained from voting as she was not on the Board in June.

REVIEW OF THE MINUTES FROM THE JULY 21, 2015 PUBLIC MEETING OF THE STATE PERSONNEL BOARD

Approval of the minutes from the July 21, 2015 meeting was tabled until the September Board meeting as there was not a quorum present. Ms. Palmquist did not attend the July 21 meeting and Ms. Kelly was not yet on the Board in July. Mr. Peck was not presently in attendance. The remaining two Board members, Ms. Hall and Ms. Salerno, did not constitute the quorum necessary to approve Board minutes.

VII. ACKNOWLEDGMENTS

DECISIONS OF THE STATE PERSONNEL BOARD MADE AT ITS JULY 21, 2015 PUBLIC MEETING:

- A. Rodney Carr v. Department of Labor and Employment, Unemployment Insurance Program State Personnel Board case number 2015G021.

The Board voted to adopt the Preliminary Recommendation of the Administrative Law Judge and grant the petition for hearing.

- B. Mary Ziegler v. Department of Corrections, Corrections Training Academy, State Personnel Board case number 2015G088.

The Board voted to adopt the Preliminary Recommendation of the Administrative Law Judge and deny the petition for hearing.

- C. Lynn A. Michel v. Department of Transportation, State Personnel Board case number 2015G091(c).

The Board voted to adopt the Preliminary Recommendation of the Administrative Law Judge and grant the petition for hearing.

VIII. ADMINISTRATIVE MATTERS & COMMENTS

A. ADMINISTRATIVE MATTERS

B. OTHER BOARD BUSINESS

Director Shea-Reid distributed copies of the 2015 Whistleblower Report to the Governor and provided an overview of the report to the Board. She also provided a chart demonstrating the total number of appeals the Board received in FY 14 and FY15, broken down by state agency. She provided additional charts noting the relative increase or decrease in types of cases opened for FY14 and FY15: "G" (grievance), "S"(selection) and "B" (mandatory hearing). There was a decrease in the number of mandatory hearings, but an increase in selection appeals. Numbers for grievances remained unchanged.

Director Shea-Reid updated the Board on the budget change request she submitted earlier in the year to increase the funding for Legal Services, and provide a modest increase to the FTE of the Administrative Law Judges. The request proceeded through the DPA budget review process and will be included in DPA's submissions to JBC.

Leanne De Vos, Assistant Attorney General in Business and Licensing, has been assigned to the SPB as the new Board Counsel. She will assume her duties at the September board meeting. Eric Maxfield, First Assistant Attorney General will continue to serve as acting Board Counsel until after the September meeting.

GENERAL COMMENTS FROM ATTORNEYS, EMPLOYEE ORGANIZATIONS, PERSONNEL ADMINISTRATORS, AND THE PUBLIC

IX. PROPOSED LEGISLATION AND/OR RULEMAKING

X. EXECUTIVE SESSION

The Board did not enter into Executive Session.

The Board meeting ended by consensus at 9:50 A.M.

DATED THIS 15th DAY OF SEPTEMBER, 2015.

SIGNATURES

Vonda Hall, Vice Chair

Nora Kelly, Member

Michelle Palmquist, Member

Teresa Salerno, Member